

1 AN ORDINANCE amending Chapter 24 of  
2 the City Code and establishing new  
3 user charges for the City of Fort  
4 Wayne's Water Pollution Control  
Utility ("WPC").

5 WHEREAS, rates charged the users of WPC for sewage  
6 services are subject to action of the Common Council of the  
7 City of Fort Wayne;

8 WHEREAS, the Common Council of the City of Fort Wayne  
9 has heretofore enacted a User Charge System ("UCS") and Sewer  
10 Use Ordinance ("SUO") as contained in Chapter 24 of the Fort  
11 Wayne Municipal Code;

12 WHEREAS, the City's UCS and SUO are subject to certain  
13 regulatory parameters established by the United States  
14 Environmental Protection Agency ("EPA") and the Indiana  
15 Department of Environmental Management ("IDEM");

16 WHEREAS, the EPA and IDEM require the establishment of  
17 a replacement fund and the reallocation of certain connection  
18 revenues;

19 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF  
20 THE CITY OF FORT WAYNE:

21 SECTION 1. That the following definitions shall be  
22 added to Section 24-1 entitled "Definitions":

23 (28) "Replacement Costs" - That cost, stated in  
24 current monetary values, as an operating cost  
25 which represents and measures the expenditures  
26 required to replace equipment, accessories or  
appurtenances of the property in order to  
maintain capacity and performance during the  
useful life of the property of the Water  
Pollution Control Utility.

27 (28A) "Replacement Fund" - A fund maintained to  
28 provide resources to pay for replacement  
29 expenditures annually as required to maintain  
30 the capacity and performance of the property of  
31 the Sewage Utility. A sufficient balance will  
32 be maintained in the Fund to provide for current  
year replacement expenditures as well as the  
estimated expenditures required for the next  
succeeding year.



PAGE TWO

SECTION 2. Article VI. of Chapter 24 shall now read as follows:

ARTICLE VI. USER CHARGES

Sec. 24-30 Domestic User Volume Charges.

The water usage schedule upon which charges for services rendered by the Sewer Utility shall be based on water consumption unless otherwise metered or exempted in accordance with the following user classifications and the following charges for services for each such classification:

<u>Service Charge (cents per 100 cu. ft.)</u>	
Treatment	41.01
Conveyance, Collection, Billing	33.92
Capital	<u>0.25</u>
Total User Charge	<u>75.18</u>

Sec. 24-31 User Minimum Charges and Other Fixed Payments

In the event the monthly sewage service charge calculated in accordance with the water consumption schedule in Sec. 24-30 does not exceed the minimum monthly charge for each class of user as set forth thereafter, user shall pay said minimum monthly charge in lieu of the charge calculated based on water usage, as follows:

<u>Water Meter Size</u>	<u>Minimum Monthly Charge</u>
5/8 - 3/4"	\$ 3.63
1 - 1-1/2"	12.82
2"	26.50
3"	53.30
4"	88.60
6"	246.00

User Flat Charges.

In the event any user is not a metered water customer, there shall be imposed flat charge rates as follows:

<u>Classification of Customer</u>	<u>Monthly Flat Charge (1)</u>	
	<u>In-City</u>	<u>Out-City</u>
Domestic User-Single Family Dwelling	\$7.52	\$9.00
Domestic User-Multi Family Dwelling	To be estimated by City	
Commercial and Industrial User	To be estimated by City	

(1) Monthly flat charges for multi-family dwellings shall be based on the number of family units accommodated by the system multiplied by the single family dwelling monthly charges. Monthly flat charges for commercial and industrial establishments may be based either on number of employees; the manufacturing processes used; other pertinent sewer use indicators; or outfall measurements where such data is available.



PAGE THREE

The Utility shall retain documentation supporting its estimates and the billings based thereon. Such determination of billings may be reviewed and adjusted by the Utility at any time. However, no adjustment, additional charge or refund may be made more than six (6) years after the due date of the billing sought to be adjusted.

Inbalco Capital Surcharge - per month \$4.65

Sec. 24-32. Manufacturing User Charges.

Charges for services rendered shall be based on metered water consumption unless otherwise measured in accordance with the following charges for the following classifications of service:

<u>Service Charge (cents per 100 cu. ft.)</u>	
Treatment	41.01
Conveyance, Collection, Billing	22.19
Capital	<u>2.16</u>
Total User Charge	<u>65.36</u>

User Minimum Charges and Other Fixed Payments

In the event the monthly sewage service charge calculated in accordance with the water consumption schedule above does not exceed the minimum monthly charge for each class of user as set forth hereafter, user shall pay said minimum monthly charge in lieu of the charge calculated based on water usage, as follows:

<u>Water Meter Size</u>	<u>Minimum Monthly Charge</u>
5/8" - 3/4"	3.63
1 - 1/2"	12.82
2"	26.50
3"	53.30
4"	88.60
6" or larger	246.00

Other Manufacturing User Charges

-1 Monthly billing charge - per bill \$ 3.15

-2 Excess Strength of Wastes Surcharge

In the event a manufacturing user contributes waste having a toxic strength in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charges will be in effect for all waste found to be in excess of limitations:



	<u>Cents Per Pound</u>
Suspended Solids - (SS)	5.32
Biochemical Oxygen Demand - (BOD)	5.90
Phosphorus - (P)	47.95
Ammonia (NH <sub>3</sub> )	14.55

Sec. 24-33. Contract Customers - Unit and Other Charges.

In the event the City consummates a contract to serve as a regional treatment plant for any other municipality or private sewage utility, either contiguous to the City or in its environs, said contract shall provide for the following unit charges:

-1 Volume Charge (cents per 100 cu. ft.)

Treatment	41.01
Capital Charge	.25
	<u>41.26</u>

-2 Variable Charge (cents per 100 cu. ft.)

A variable charge for conveyance and collection costs attributable to the portion of the conveyance system and operating costs associated therewith used by the contract customer shall be computed by the City and added to the volume charge.

-3 Flat Charge

In addition to the foregoing charges based on volume of sewage treated and conveyed each contract customer will pay a monthly billing charge of \$2.50 and a monthly surveillance charge of \$100.00.

-4 Excess Strength of Waste Surcharge

In the event a contract customer contributes waste having a toxic strength in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charges will be in effect for all waste found to be in excess of limitations:

	<u>Cents Per Pound</u>
Suspended Solids - (SS)	5.32
Biochemical Oxygen Demand - (BOD)	5.90
Phosphorus - (P)	47.95
Ammonia - (NH <sub>3</sub> )	14.55

-5 Capital Surcharge

In the event contract customer delivers sewage for treatment to City for a period of 90 consecutive days which is in excess of base MGD contracted for, then customer will be subject to an additional capital charge computed at the capital charge (per 100 cu. ft.) then in effect times the excess percentage of MGD represented by dividing actual MGD by contracted MGD.



-6 Other Provisions

In the event sewage received pursuant to any contract entered into under this section exceeds any of the limitations imposed by this Chapter, the City shall have the right to impose all charges, limitations and penalties applicable to any non-contract user by the City. Each contract entered into by the City pursuant to the foregoing rate classification shall provide that the contract customer shall agree to enact and maintain a Sewer Use Ordinance and User Charge System acceptable to the City and in conformance with the City's obligations under Sec. 204 (b) (1). Public Law 92-500 as amended and supplemented and guidelines and regulations promulgated thereunder by the U.S. Environmental Protection Agency and 40 CFR 35-905-8, 35-928-1 and 35-928-2, and 35-935-13.

Sec. 24-34. Bulk Waste Charges.

Industrial - For all industrial waste suitable for disposal directly through the plant digesters which has been delivered by the Customer to City's plant - \$250.00 per load. For purposes of computing charges hereunder, a load is defined as 5000 gallons of tank capacity or fraction thereof.

Domestic - For all domestic waste delivered to plant by customer's truck or tank - \$32.40 per load. For purposes of computing charges hereunder, a load is defined as 1,000 gallons of tank capacity or fraction thereof.

Sec. 24-35. Annual Review of Service Charges.

Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit cost for flow, removal of BOD, suspended solids, and phosphorus per year, with the unit charges currently in effect from which the board shall determine whether the current service charges and surcharges are adequate or should be changed. The methodology utilized in developing this cost comparison shall include:

-1 A system including the distribution of the cost of operation and maintenance of the treatment works of the WPC Utility to each user class in proportion to such user's contribution to the total waste loading of the treatment works. Factors such as strength, volume, and delivery flow characteristics shall be considered and included as the basis for the user's contribution to insure a proportional distribution of operation and maintenance and replacement costs to each user class.

-2 Total annual service charges and surcharges collected from each individual user class shall be deemed sufficient if said charges have generated during the prior operating period sufficient revenue to offset the cost of all treatment works operation and maintenance provided by the Utility, including cost of management, system repair and replacement, debt retirement and other costs incidental to the Utility Operation attributable to such class.



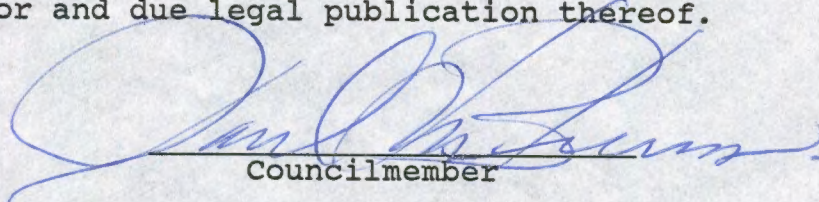
PAGE SIX

SECTION 3. That the following Section shall now read  
as follows:

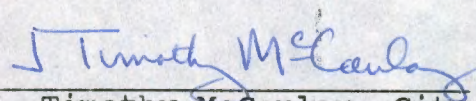
Sec. 24-38. Waste Evaluation Charges

All users discharging wastes into the system requiring continuing surveillance sampling and waste evaluation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of \$127.50 per discharge point.

SECTION 4. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor and due legal publication thereof.

  
Councilmember

APPROVED AS TO FORM  
AND LEGALITY

  
J. Timothy McCaulay, City Attorney



Read the first time in full and on motion by Burns, seconded by Delaney, and duly adopted, read the second time by title and referred to the Committee on City of Fort Wayne (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATED: 7-12-88

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Burns, seconded by Quadd, and duly adopted, placed on its passage. PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>			
BRADBURY	<u>✓</u>			
BURNS	<u>✓</u>			
GiaQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
REDD	<u>✓</u>			
SCHMIDT	<u>✓</u>			
STIER	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 7-26-88

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) \_\_\_\_\_ (APPROPRIATION) \_\_\_\_\_ (GENERAL) \_\_\_\_\_

(SPECIAL) \_\_\_\_\_ (ZONING MAP) \_\_\_\_\_ ORDINANCE RESOLUTION NO. B-2488

on the 26th day of July, 1988,

Sandra E. Kennedy ATTEST  
SANDRA E. KENNEDY, CITY CLERK

SEAL  
Thomas P. Henry  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of July, 1988, at the hour of 11:30 o'clock A. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 27th day of July, 1988, at the hour of 2:30 o'clock P. M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR



Admn. Appr. \_\_\_\_\_

DIGEST SHEET

TITLE OF ORDINANCE GENERAL ORDINANCE

*G-88-07-30*

DEPARTMENT REQUESTING ORDINANCE WATER POLLUTION CONTROL UTILITY

SYNOPSIS OF ORDINANCE AMENDS CHAPTER 24 OF THE CITY CODE BY ADDING

NEW DEFINITIONS AND INCREASED RATES.

EFFECT OF PASSAGE CITY'S USER CHARGE SYSTEM AND SEWER USE ORDINANCE

WILL MEET STANDARDS ESTABLISHED BY EPA AND IDEM. RATES WOULD INCREASE IN ALL CATEGORIES AN AVERAGE OF 25.7%.

EFFECT OF NON-PASSAGE CITY WPC WILL NOT BE IN COMPLIANCE WITH EPA

AND IDEM STANDARDS. RATES WOULD NOT BE ADEQUATE TO COVER COSTS OF SERVICES.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \_\_\_\_\_

ASSIGNED TO COMMITTEE (PRESIDENT) \_\_\_\_\_



BILL NO. G-88-07-30

REPORT OF THE COMMITTEE ON PUBLIC RELATIONS

WE, YOUR COMMITTEE ON PUBLIC RELATIONS TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending Chapter 24  
of the City Code and establishing new user charges for the City  
of Fort Wayne's Water Pollution Control Utility ("WPC")

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~)

YES

NO

JAMES S. STIER

CHAIRMAN

DONALD J. SCHMIDT

VICE CHAIRMAN

CHARLES B. REDD

DAVID C. LONG

MARK E. GiaGUINTA

PAUL M. BURNS

SAMUEL J. TALARICO

THOMAS C. HENRY

JANET G. BRADBURY

CONCURRED IN 7-26-88

SANDRA E. KENNEDY  
CITY CLERK



All America City



Most Livable City

## THE CITY OF FORT WAYNE

July 14, 1988

Ms. April Minnick  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Minnick:

Please give the attached full coverage on the date of July 16, 1988, in both the News Sentinel and Journal Gazette.

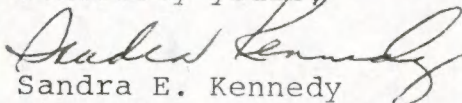
RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. G-88-07-30  
Fort Wayne Sewage Works

Please send us 6 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

  
Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 1



NOTICE OF HEARING  
ON PROPOSED RATES AND CHARGES  
OF FORT WAYNE SEWAGE WORKS

Property owners and other interested parties in the City of Fort Wayne are hereby notified that on July 12, 1988, the Common Council introduced Bill No. G-88-07-30, thereby determining to establish rates and charges for services to be rendered by the sewage works. At a meeting of the Common Council to be held at 7:00 P.M., (Fort Wayne Time), on July 26, 1988, in the City-County Building, Room 126, there will be a public hearing on the matter of the rates and charges, and consideration of adoption of said Bill No. G-88-07-30 which will provides in part as follows:

WHEREAS, rates charged the users of WPC for sewage services are subject to action of the Common Council of the City of Fort Wayne;

WHEREAS, the Common Council of the City of Fort Wayne has heretofore enacted a User Charge System ("UCS") and Sewer Use Ordinance ("SUO") as contained in Chapter 24 of the Fort Wayne Municipal Code;

WHEREAS, the City's UCS and SUO are subject to certain regulatory parameters established by the United States Environmental Protection Agency ("EPA") and the Indiana Department of Environmental Management ("IDEM");

WHEREAS, the EPA and IDEM require the establishment of a replacement fund and the reallocation of certain connection revenues;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE:

SECTION 1. That the following definitions shall be added to Section 24-1 entitled "Definitions":

(28) "Replacement Costs" - That cost, stated in current monetary values, as an operating cost which represents and measures the expenditures required to replace equipment, accessories or appurtenances of the property in order to maintain capacity and performance during the useful life of the property of the Water Pollution Control Utility.

(28A) "Replacement Fund" - A fund maintained to provide resources to pay for replacement expenditures annually as required to maintain the capacity and performance of the property of the Sewage Utility. A sufficient balance will be maintained in the Fund to provide for current year replacement expenditures as well as the estimated expenditures required for the next succeeding year.



a Sewer Use Ordinance and User Charge System acceptable to the City and in conformance with the City's obligations under Sec. 204 (b) (1). Public Law 92-500 as amended and supplemented and guidelines and regulations promulgated thereunder by the U.S. Environmental Protection Agency and 40 CFR 35-905-8, 35-928-1 and 35-928-2, and 35-935-13.

Sec. 24-34. Bulk Waste Charges.

Industrial - For all industrial waste suitable for disposal directly through the plant digesters which has been delivered by the Customer to City's plant - \$250.00 per load. For purposes of computing charges hereunder, a load is defined as 5000 gallons of tank capacity or fraction thereof.

Domestic - For all domestic waste delivered to plant by customer's truck or tank - \$32.40 per load. For purposes of computing charges hereunder, a load is defined as 1,000 gallons of tank capacity or fraction thereof.

Sec. 24-35. Annual Review of Service Charges.

Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit cost for flow, removal of BOD, suspended solids, and phosphorus per year, with the unit charges currently in effect from which the board shall determine whether the current service charges and surcharges are adequate or should be changed. The methodology utilized in developing this cost comparison shall include:

-1 A system including the distribution of the cost of operation and maintenance of the treatment works of the WPC Utility to each user class in proportion to such user's contribution to the total waste loading of the treatment works. Factors such as strength, volume, and delivery flow characteristics shall be considered and included as the basis for the user's contribution to insure a proportional distribution of operation and maintenance and replacement costs to each user class.

-2 Total annual service charges and surcharges collected from each individual user class shall be deemed sufficient if said charges have generated during the prior operating period sufficient revenue to offset the cost of all treatment works operation and maintenance provided by the Utility, including cost of management, system repair and replacement, debt retirement and other costs incidental to the Utility Operation attributable to such class.

SECTION 3. That the following Section shall now read as follows:

Sec. 24-38. Waste Evaluation Charges

All users discharging wastes into the system requiring continuing surveillance sampling and waste evaluation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of \$127.50 per discharge point.

At such hearing and prior to final adoption of said Bill No. G-88-07-30, all interested parties may appear and be heard. Copies of Bill No. G-88-07-30 are on file in the Office of the Clerk and are available for inspection by any interested parties during regular business hours.

Dated this 12th day of July, 1988

Sandra E. Kennedy  
City Clerk



Fort Wayne Common Council

(Governmental Unit)

Allen

County, Indiana

To:

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

3

266

2

271

## COMPUTATION OF CHARGES

271 lines, 1 columns wide equals 271 equivalent lines  
at .330 cents per line

\$ 89.43

Additional charge for notices containing rule or tabular work  
(50 percent of above amount)

4.00

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

\$ 93.43

TOTAL AMOUNT OF CLAIM

## DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: July 16, 19 88

Title:

Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Trudy Sterling who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time, the dates of publication being as follows:

7/16/88

Subscribed and sworn to before me this 16th day of July, 19 88

Notary Public

Shelley R. LaRue

My commission expires March 3, 1990

10926 Aboite Ctr. Rd. 432-2629  
Sunday School: 9:15 a.m.  
Morning Worship: 10:30 a.m.  
Sunday Evening: 6:00 p.m.  
Clarence R. Brock, Pastor

CHRISTIAN MISSIONARY ALLIANCE

FT. WAYNE GOSPEL TEMPLE  
117 E. Rudisill Blvd. 744-4236  
Sun. Worship 9:30, 10:30, 6:00

LAKE AVE. CHURCH OF THE NAZARENE  
4100 Lake Ave. 426-4618  
9:00 A.M. Sunday School  
10:15 Morning Worship  
Wednesday 7:00 p.m. Bible Study  
Youth/Children's Program David F. Nixon

CHRISTIAN

There's A Place for you at...

FIRST CHRISTIAN CHURCH  
4800 S. Calhoun 744-3239  
Worship: 8:15 & 10:45 SS 9:30  
Dr. Richard Hamm, Sr. Pastor  
Helen Donnell, Minister of Music  
Linn Bartling, Minister of Education

PRESBYTERIAN

FIRST PRESBYTERIAN CHURCH  
300 West Wayne at Webster 426-7421  
Worship: 8:00 and 10:00 a.m.

Phone 456-2323

nday School  
nday Worship

lades en español +  
- Escuela Dominical



PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)	
-- number of equivalent lines	
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Total number of lines in notice	271

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at .330 cents per line	\$ 89.43
Additional charge for notices containing rule or tabular work (50 percent of above amount)	
Charge for extra proofs of publication (\$1.00 for each proof in excess of two)	4.00
TOTAL AMOUNT OF CLAIM	\$ 93.43

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ON PROPOSED RATES AND CHARGES  
OF FORT WAYNE SEWAGE WORKS

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NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE:

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(28) "Replacement Costs" - That cost, stated in current monetary values, as an operating cost which represents and measures the expenditures required to replace equipment, accessories or appurtenances of the property in order to maintain capacity and performance during the useful life of the property of the Water Pollution Control Utility.

(28A) "Replacement Fund" - A fund maintained to provide resources to pay for replacement expenditures annually as required to maintain the capacity and performance of the property of the Sewage Utility. A sufficient balance will be maintained in the Fund to provide for current year replacement expenditures as well as the estimated expenditures required for the next succeeding year.

SECTION 2. Article VI. of Chapter 24 shall now read as follows:

ARTICLE VI. USER CHARGES

Sec. 24-30 Domestic User Volume Charges.

The water usage schedule upon which charges for services rendered by the Sewer Utility shall be based on water consumption unless otherwise metered or exempted in accordance with the following user classifications and the following charges for services for each such classification:

Service Charge (cents per 100 cu. ft.)

Treatment 41.01  
Conveyance, Collection, Billing 33.92  
Capital 0.25  
Total User Charge 75.18

Sec. 24-31 User Minimum Charges and Other Fixed Payments

In the event the monthly sewage service charge calculated in accordance with the water consumption schedule in Sec. 24-30 does not exceed the minimum monthly charge for each class of user as set forth hereafter, user shall pay said minimum monthly charge in lieu of the charge calculated based on water usage, as follows:

Water Meter Size: 1/2" - 12.82  
2" - 26.50  
3" - 53.30  
4" - 88.60  
6" - 246.00

User Flat Charges.

In the event any user is not a metered water customer, there shall be imposed flat charge rates as follows:

Classification of Customer: Domestic User-Single Family Dwelling; Month Flat Charge (1) In-City \$7.52; Out City: \$9.00

Domestic User-Multi Family Dwelling; To be estimated by City

City

(1) Monthly flat charges for multi-family dwellings shall be based on the number of family units accommodated by the system multiplied by the single family dwelling monthly charges. Monthly flat charges for commercial and industrial establishments may be based either on number of employees; the manufacturing processes used; other pertinent sewer use indicators; or outfall measurements where such data is available.

The Utility shall retain documentation supporting its estimates and the billings based thereon. Such determination of billings may be reviewed and adjusted by the Utility at any time. However, no adjustment, additional charge or refund may be made more than six (6) years after the due date of the billing sought to be adjusted.

Inbalco Capital Surcharge - per month \$4.65

Sec. 24-32. Manufacturing User Charges.

Charges for services rendered shall be based on metered water consumption unless otherwise measured in accordance with the following charges for the following classifications of service:

Service Charge (cents per 100 cu. ft.)

Treatment 41.01  
Conveyance, Collection, Billing 22.19  
Capital 2.16  
Total User Charge 65.36

User Minimum Charges and Other Fixed Payments

In the event the monthly sewage service charge calculated in accordance with the water consumption schedule above does not exceed the minimum monthly charge for each class of user as set forth hereafter, user shall pay said minimum monthly charge in lieu of the charge calculated based on water usage, as follows:

Water Meter Size: 1/2" - 12.82  
2" - 26.50  
3" - 53.30  
4" - 88.60  
6" or larger 246.00

Other Manufacturing User Charges

-1 Monthly billing charge - per bill \$3.15

-2 Excess Strength of Wastes Surcharge

In the event a manufacturing user contributes waste having a toxic strength in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charges will be in effect for all waste found to be in excess of limitations:

Cents Per Pound:

Suspended Solids - (SS) 5.32  
Biochemical Oxygen Demand - (BOD) 5.90  
Phosphorus - (P) 47.95  
Ammonia (NH-3) 14.55

Sec. 24-33. Contract Customers - Unit and Other Charges.

In the event the City consummates a contract to serve as a regional treatment plant for any other municipality or private sewage utility, either contiguous to the City or in its environs, said contract shall provide for the following unit charges:

-1 Volume Charge (cents per 100 cu. ft.)

Treatment 41.01  
Capital Charge .25  
41.26

-2 Variable Charge (cents per 100 cu. ft.)

A variable charge for conveyance and collection costs attributable to the portion of the conveyance system and operating costs associated therewith used by the contract customer shall be computed by the City and added to the volume charge.

-3 Flat Charge

In addition to the foregoing charges based on volume of sewage treated and conveyed each contract customer will pay a monthly billing charge of \$2.50 and a monthly surveillance charge of \$100.00.

-4 Excess Strength of Waste Surcharge

In the event a contract customer contributes waste having a toxic strength in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charges will be in effect for all waste found to be in excess of limitations:

Cents Per Pound

Biochemical Oxygen Demand - (BOD) 5.90  
Phosphorus - (P) 47.95  
Ammonia (NH3) 14.55  
-5 Capital Surcharge

In the event contract customer delivers sewage for treatment to City for a period of 90 consecutive days which is in excess of base MGD contracted for, then customer will be subject to an additional capital charge computed at the capital charge (per 100 cu. ft.) then in effect times the excess percentage of MGD represented by dividing actual MGD by contracted MGD.

In the event sewage received pursuant to any contract entered into under this section exceeds any of the limitations imposed by this Chapter, the City shall have the right to impose all charges, limitations and penalties applicable to any non-contract user by the City. Each contract entered into by the City pursuant to the foregoing rate classification shall provide that the contract customer shall agree to enact and maintain a Sewer Use Ordinance and User Charge System acceptable obligations under Sec. 204 (b) (1). Public Law 92-500 as amended and supplemented and guidelines and regulations promulgated thereunder by the U.S. Environmental Protection Agency and 40 CFR 35-905-8, 35-928-1 and 35-928-2, and 35-935-13.

Sec. 24-34. Bulk Waste Charges.

Industrial - For all industrial waste suitable for disposal directly through the plant digesters which has been delivered by the Customer to City's plant - \$250.00 per load. For purposes of computing charges hereunder, a load is defined as 5000 gallons of tank capacity or fraction thereof.

Domestic - For all domestic waste delivered to plant by customer's truck or tank - \$32.40 per load. For purposes of computing charges hereunder, a load is defined as 1,000 gallons of tank capacity or fraction thereof.

Sec. 24-35. Annual Review of Service Charges.

Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit cost for flow, removal of BOD, suspended solids, and phosphorus per year, with the unit charges currently in effect from which the board shall determine whether the current service charges and surcharges are adequate or should be changed.

The methodology utilized in developing this cost comparison shall include:

-1 A system including the distribution of the cost of operation and maintenance of the treatment works of the WPC Utility to each user class in proportion to such user's contribution to the total waste loading of the treatment works. Factors such as strength, volume, and delivery flow characteristics shall be considered and included as the basis for the user's contribution to insure a proportional distribution of operation and maintenance and replacement costs to each other class.

-2 Total annual service charges and surcharges collected from each individual user class shall be deemed sufficient if said charges have generated during the prior operating period sufficient revenue to offset the cost of all treatment works operation and maintenance provided by the Utility, including cost of management, system repair and replacement, debt retirement and other costs incidental to the Utility Operation attributable to such class.

SECTION 3. That the following Section shall now read as follows:

Sec. 24-38. Waste Evaluation Charges

All users discharging wastes into the system requiring continuing surveillance sampling and waste water evaluation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of \$127.50 per discharge point.

At such hearing and prior to final adoption of said Bill No. G-88-07-30, all interested parties may appear and be heard. Copies of Bill No. G-88-07-30 are on file in the Office of the Clerk and are available for inspection by any interested parties during regular business hours.

Dated this 12th day of July, 1988  
Sandra E. Kennedy

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ON PROPOSED RATES AND CHARGES OF FORT WAYNE SEWAGE WORKS

Property owners and other interested parties in the City of Fort Wayne are hereby notified that on July 12, 1988, the Common Council introduced Bill No. 88-07-30, thereby determining to establish rates and charges for services to be rendered by the sewage works. At a meeting of the Common Council to be held 17:00 P.M., (Fort Wayne Time), on July 26, 1988, in the City-County Building, Room 126, there will be a public hearing on the matter of the rates and charges, and consideration of adoption of said Bill No. 88-07-30 which will provide in part as follows:

WHEREAS, rates charged the users of WPC for sewage services are subject to action of the Common Council of the City of Fort Wayne;

WHEREAS, the Common Council of the City of Fort Wayne has heretofore enacted a User Charge System ("UCS") and Sewer Use Ordinance ("SUO") as contained in Chapter 24 of the Fort Wayne Municipal Code;

WHEREAS, the City's UCS and SUO are subject to certain regulatory parameters established by the United States Environmental Protection Agency ("EPA") and the Indiana Department of Environmental Management ("IDEM");

WHEREAS, the EPA and IDEM require the establishment of a replacement fund and the allocation of certain connection revenues;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE:

SECTION 1. That the following definitions shall be added to Section 24-1 entitled "Definitions":

(28) "Replacement Costs" - That cost, stated in current monetary values, as an operating cost which presents and measures the expenditures required to place equipment, accessories or appurtenances of a property in order to maintain capacity and performance during the useful life of the property of the later Pollution Control Utility.

(28A) "Replacement Fund" - A fund maintained to provide resources to pay for replacement expenditures annually as required to maintain the capacity and performance of the property of the Sewage Utility. A sufficient balance will be maintained in the Fund to provide for current year replacement expenditures as well as the estimated expenditures required for the next succeeding year.

SECTION 2. Article VI. of Chapter 24 shall now read as follows:

ARTICLE VI. USER CHARGES

Sec. 24-30 Domestic User Volume Charges.

The water usage schedule upon which charges for services rendered by the Sewer Utility shall be based on water consumption unless otherwise metered or exempted in accordance with the following user classifications and the following charges for services for each such classification:

Service Charge (cents per 100 cu.ft.)

Treatment 41.01

Conveyance, Collection, Billing 33.92

Capital 0.25

Total User Charge 75.18

Sec. 24-31 User Minimum Charges and Other Fixed Payments

In the event the monthly sewage service charge calculated in accordance with the water consumption schedule in Sec. 24-30 does not exceed the minimum monthly charge for each class of user as set forth hereafter, user shall pay said minimum monthly charge in lieu of the charge calculated based on water usage, as follows:

Water Meter Size: ½"-¾" - Minimum Monthly Charge: 3.63

1-1½" - 12.82

2" - 26.50

3" - 53.30

4" - 88.60

6" - 246.00

User Flat Charges.

In the event any user is not a metered water customer, there shall be imposed flat charge rates as follows:

Classification of Customer: Domestic User-Single Family Dwelling; Month Flat Charge (1) In-City \$7.52; Out City: \$9.00

Domestic User-Multi Family Dwelling; To be estimated by City

Commercial and Industrial User; To be estimated by City

(1) Monthly flat charges for multi-family dwellings shall be based on the number of family units accommodated by the system multiplied by the single family dwelling monthly charges. Monthly flat charges for commercial and industrial establishments may be based either on number of employees; the manufacturing processes used; other pertinent sewer use indicators; or outfall measurements where such data is available.

The Utility shall retain documentation supporting its estimates and the billings based thereon. Such termination of billings may be reviewed and adjusted by the Utility at any time. However, no adjustment, additional charge or refund may be made more than six (6) years after the due date of the billing is to be adjusted.

Inbalco Capital Surcharge- per month \$4.65

Sec. 24-32. Manufacturing User Charges.

Charges for services rendered shall be based on metered water consumption unless otherwise measured in accordance with the following charges for the following classifications of service:

Service Charge (cents per 100 cu.ft.)

Treatment 41.01

Conveyance, Collection, Billing 22.19

Capital 2.18

Total User Charge 65.36

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In the event the monthly sewage service charge calculated in accordance with the water consumption schedule above does not exceed the minimum monthly charge for each class of user as set forth hereafter, user shall pay said minimum monthly charge in lieu of the charge calculated based on water usage, as follows:

Water Meter Size: ½"-¾"; Minimum Monthly Charge: 3.63

1-1½" 12.82

2" 26.50

3" 53.30

4" 88.60

6" or larger 246.00

Other Manufacturing User Charges

1 Monthly billing charge - per bill \$3.15

-2 Excess Strength of Wastes Surcharge

In the event a manufacturing user contributes waste having a toxic strength in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charges will be in effect for all waste found to be in excess of limitations:

Cents Per Pound:

Suspended Solids - (SS) 5.32

Biochemical Oxygen Demand - (BOD) 5.90

Phosphorus - (P) 47.95

Ammonia (NH-3) 14.55

Sec. 24-33. Contract Customers - Unit and Other Charges.

In the event the City consummates a contract to serve as a regional treatment plant for any other municipality or private sewage utility, either contiguous to the City or in its environs, said contract shall provide for the following unit charges:

-1 Volume Charge (cents per 100 cu. ft.)

Treatment 41.01

Capital Charge .25

41.26

-2 Variable Charge (cents per 100 cu. ft.)

A variable charge for conveyance and collection costs attributable to the portion of the conveyance system and operating costs associated therewith used by the contract customer shall be computed by the City and added to the volume charge.

-3 Flat Charge

In addition to the foregoing charges based on volume of sewage treated and conveyed each contract customer will pay a monthly billing charge of \$2.50 and a monthly surveillance charge of \$100.00.

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In the event contract customer delivers sewage for treatment to City for a period of 90 consecutive days which is in excess of base MGD contracted for, then customer will be subject to an additional capital charge computed at the capital charge (per 100 cu. ft) then in effect times the excess percentage of MGD represented by dividing actual MGD by contracted MGD.

In the event sewage received pursuant to any contract entered into under this section exceeds any of the limitations imposed by this Chapter, the City shall have the right to impose all charges, limitations and penalties applicable to any non-contract user by the City. Each contract entered into by the City pursuant to the foregoing rate classification shall provide that the contract customer shall agree to enact and maintain a Sewer Use Ordinance and User

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PUBLISHER'S CLAIM

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CLAIM

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The Journal-Gazette

Dr.

P.O. Box 100

Fort Wayne, IN



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Dated this 12th day of July, 1988  
Sandra E. Kennedy  
City Clerk

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General Form No. 99P (Revised 1987)

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To: The Journal-Gazette  
P.O. Box 100  
Fort Wayne, IN  
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PUBLISHER'S CLAIM

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Trudy Sterling

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PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:  
Allen County )

Personally appeared before me, a notary public in and for said county and state, the  
undersigned Trudy Sterling who, being duly sworn, says that he/  
she is Clerk of the The Journal-Gazette newspaper of general  
circulation printed and published in the English language in the (city) (town) of  
Fort Wayne, IN in state and county aforesaid, and that the printed matter  
attached hereto is a true copy, which was duly published in said paper for  
one time , the dates of publication being as follows:

7/16/88

Trudy Sterling

Subscribed and sworn to before me this 16th day of July, 19 88

Shelley R. LaRue

Notary Public

My commission expires: March 3, 1990



Fort Wayne Common Council  
(Governmental Unit)

To:

The Journal-Gazette

Dr.

P.O. Box 100

Fort Wayne, IN

Allen County, Indiana

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
-- number of equivalent lines

Head -- number of lines

3

Body -- number of lines

266

Tail -- number of lines

2

Total number of lines in notice

271

## COMPUTATION OF CHARGES

271 lines, 1 columns wide equals 271 equivalent lines  
at .330 cents per line

\$ 89.43

Additional charge for notices containing rule or tabular work  
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

4.00

TOTAL AMOUNT OF CLAIM

\$ 93.43

## DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: July 16, 19 88

Title:

Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Trudy Sterling who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time, the dates of publication being as follows:

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